

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

**CIVIL CONFERENCE
MINUTE ORDER**

BEFORE: A. KATHLEEN TOMLINSON
U.S. MAGISTRATE JUDGE

DATE: 5/21/2013
TIME: 9:39 a.m. (16 minutes)

Friedman v. Raymond Furniture Co., Inc., et al.,
CV 12-1307 (LDW) (AKT)

TYPE OF CONFERENCE: **PRE-TRIAL CONFERENCE**

APPEARANCES: Plaintiff Peter Andrews
Defendant Jessica A. Chicacos
Tara Eyer Daub

FTR: 9:39-9:55

SCHEDULING:

Counsel have been directed to file an Amended Joint Pre-Trial Order within 21 days after Judge Wexler's rulings on plaintiff's pending appeal [DE 46] of this Court's prior discovery rulings.

THE FOLLOWING RULINGS WERE MADE:

1. I spent time with counsel reviewing the proposed Joint Pre-Trial Order which was submitted by the parties in advance of today's conference. A number of the provisions need to be revised or modified as discussed this morning. These provisions include:
 - Witness Lists – counsel will review this list again and determine whether all the witnesses listed will actually be testifying and will amend the list accordingly;
 - Expert witnesses – plaintiff's counsel confirmed that plaintiff will not be introducing any expert in this action;
 - Deposition Testimony Designations – plaintiff's counsel stated that these designations are provided only in the event that witness Goldstein is "unavailable" under the Federal Rules at the time of trial; defendants have not crossed-designated any deposition testimony of Goldstein and do not plan to do so;
 - Item 27 on page 9 will be stricken by plaintiff;
 - On Item 91, plaintiff's counsel will designate the deposition sections;
 - Plaintiff will review the defendants' exhibits again to determine if plaintiff intends to raise any objections.
2. With regard to plaintiff's exhibits 13 and 14, plaintiff's counsel will send a copy of these tax returns immediately to defendants' counsel.

3. Counsel have been directed to file an Amended Joint Pre-Trial Order on ECF within 21 days after Judge Wexler's decision on the plaintiff's appeal of this Court's prior Orders.

SO ORDERED

/s/ A. Kathleen Tomlinson
A. KATHLEEN TOMLINSON
U.S. Magistrate Judge